

FILED
2/4/20 1:33 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Susan Robinson fka Susan Plichta
John E. Robinson

Debtors

Toyota Motor Credit Corporation
Movant

v.

Susan Robinson fka Susan Plichta
John E. Robinson

Respondents

and

Ronda J. Winnecour, Trustee
Additional Respondent

BANKRUPTCY NO. 15-24484-JAD

CHAPTER 13

DOC. NO. 90

RELATED TO DOC. NO. 68

STIPULATION AND ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Toyota has filed a motion for relief from stay due to delinquent loan payments on a 2014 Toyota RAV4. (Doc. 68);

WHEREAS, Debtors have filed a response opposing relief from the automatic stay (Doc. 71);

WHEREAS, the parties enter into this Stipulation to resolve the motion for relief from the automatic stay.

It is therefore Stipulated and agreed as follows:

1. The automatic stay is terminated as it affects the interests of the Movant with respect to the 2014 Toyota RAV4, provided however, that relief from stay is stayed in accordance with the conditions set forth in Paragraphs 2-5, below.

2. On a go-forward basis from and after the date of the Order approving this Stipulation, the Debtors shall timely make full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due.
3. Time is of the essence as to all plan payments going forward.
4. For the duration of this bankruptcy case, in the event that the Chapter 13 Trustee has not received a full plan payment by the last day of the month in which the Debtors' payment is due, as indicated by the Chapter 13 Trustee's online records, then the stay provided in Paragraph 1, above, shall be vacated and the automatic stay unconditionally lifted as it affects the interests of the Movant with respect to the 2014 Toyota RAV4, upon the filing of a Certification of Default by Movant, without further hearing or without entry of an additional order, if Debtors have failed to cure the default fifteen (15) days after written notice of default to Debtors' counsel.
4. Relief from the automatic stay shall be effective immediately upon conversion of Debtors' case to a case under Chapter 7.
5. In the event that the automatic stay is terminated as provided by this Order, then the Trustee shall make no further disbursements to Respondent on account of its secured claim, unless directed otherwise by further Order of Court.
6. The hearing in this matter scheduled for February 5, 2020 at 10:00 a.m. is cancelled.

Consented to by:

/s/ Daniel R. White, Esquire
Daniel R. White, Esquire
Zebley, Mehalov & White, P.C.
Attorney for Debtors
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Phone: 724-439-9200
dwhite@zeblaw.com

/s/ James C. Warmbrodt, Esquire
James C. Warmbrodt, Esquire
KML Law Group, P.C.
Attorney for Movant
701 Market Street, Suite 5000
Philadelphia, PA 19106
Phone: 215-627-1322
jwarmbrodt@kmlawgroup.com

It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

By the Court,



Jeffery A. Deller
United States Bankruptcy Judge

CASE ADMINISTRATOR SHALL SERVE:

John and Susan Robinson
Daniel R. White, Esquire
James C. Warmbrodt, Esquire
Ronda J. Winnecour, Esquire

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
Western District of Pennsylvania

In re:
John E. Robinson
Susan Robinson
Debtors

Case No. 15-24484-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: culy
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 04, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 06, 2020.

db/jdb +John E. Robinson, Susan Robinson, 96 Chaffee Street, Uniontown, PA 15401-4649

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 06, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 4, 2020 at the address(es) listed below:

Daniel R. White on behalf of Joint Debtor Susan Robinson zmwchapter13@gmail.com,
gianna@zeblaw.com;sheila@zeblaw.com;r63228@notify.bestcase.com
Daniel R. White on behalf of Debtor John E. Robinson zmwchapter13@gmail.com,
gianna@zeblaw.com;sheila@zeblaw.com;r63228@notify.bestcase.com
James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmlawgroup.com
Leon P. Haller on behalf of Creditor U.S. Bank, National Association, Trustee for
Pennsylvania Housing Finance Agency lhaller@pkh.com,
dmaurer@pkh.com;lrynard@pkh.com;mgutshall@pkh.com
Leon P. Haller on behalf of Creditor Pennsylvania Housing Finance Agency lhaller@pkh.com,
dmaurer@pkh.com;lrynard@pkh.com;mgutshall@pkh.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7